

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

ROSY GIRON DE REYES, *et al.*,

Plaintiffs,

vs.

WAPLES MOBILE HOME PARK LIMITED
PARTNERSHIP, *et al.*,

Defendants.

Civ. No. 1:16-cv-00563 (LO/TCB)

**MEMORANDUM IN SUPPORT OF
PLAINTIFFS' MOTION TO FILE DOCUMENTS UNDER SEAL**

Pursuant to Local Civil Rule 5, Plaintiffs Rosy Giron De Reyes, Jose Dagoberto Reyes, Felix Alexis Bolanos, Ruth Rivas, Yovana Jaldin Solis, Esteban Ruben Moya Yrapura, Rosa Elena Amaya, and Herbert David Saravia Cruz ("Plaintiffs") submit this memorandum in support of their Motion to File Documents under Seal. The documents that Plaintiffs request permission to file under seal are portions of Plaintiffs' Reply Memorandum in Support of Motion to Amend Exhibit and Witness List. In these portions of the Reply Memorandum Brief, Plaintiffs quote or reference documents Defendants designated confidential pursuant to the Protective Order (Dkt. 45); specifically, documents that identify the names of Defendants' tenants who are not parties to this action.

Ashcraft v. Conoco, Inc., 218 F.3d 282, 288 (4th Cir. 2000), held that documents may be sealed pursuant to district court order when the court: (1) provides notice to the public and gives it an opportunity to object to sealing, (2) considers less drastic alternatives, and (3) provides specific findings in support of the decision to seal and the rejection of alternatives. Those requirements are met here.

First, Plaintiffs have concurrently filed a Notice of Motion to be docketed by the Clerk. The Notice will provide the public with an opportunity to object to the sealing of the documents in question.

Second, no feasible alternative exists to sealing these documents, in light of the Protective Order requiring information designated confidential pursuant to the Order to be filed with the Court consistent with Local Rule 5 of the Eastern District of Virginia.

These documents name tenants of Defendants, most of whom are not parties to this action and therefore should not have their names revealed on the public docket (especially in connection with a legal memorandum that questions their legal immigration status in the United States). Accordingly, the utmost discretion and confidentiality is necessary, and these filings should be kept under seal.

For these reasons, Plaintiffs respectfully request that the Court grant Plaintiffs' Motion to File Document under Seal. A proposed order is attached.

[signatures on following page]

Respectfully submitted,

Date: June 28, 2021

//s//

LEGAL AID JUSTICE CENTER

Simon Sandoval-Moshenberg, VSB #77110

simon@justice4all.org

Nady Peralta, VSB #91630

nady@justice4all.org

Granville Clayton Warner, VSB #24957

cwarner@justice4all.org

6066 Leesburg Pike, Suite 520

Falls Church, VA 22041

Phone: (703) 778-3450

Fax: (703) 778-3454

QUINN EMANUEL URQUHART & SULLIVAN, LLP

Kaiyeu Kevin Chu, VSB #85746

kevinchu@quinnemanuel.com

Matthew Traupman (pro hac vice)

matthewtraupman@quinnemanuel.com

1300 I Street NW, Suite 900

Washington, District of Columbia 20005

Phone: (202) 538-8000

Fax: (202) 538-8100

Counsel for Plaintiffs

Certificate of Service

I hereby certify that on this 28th day of June, 2021, I caused the foregoing, along with all attachments thereto, to be filed electronically with the Clerk of the Court using CM/ECF, which will then send a notification of such filing (NEF) to all counsel of record.

_____/s/_____
Simon Sandoval-Moshenberg (VSB No. 77110)
simon@justice4all.org
LEGAL AID JUSTICE CENTER
6066 Leesburg Pike, Suite 520
Falls Church, VA 22041
Tel: (703) 720-5605
Fax: (703) 778-3454